



ATTORNEY DOCKET NO. 66427

DATE: March 30, 2000

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

James J. Fitzgibbon

Colin B. Wilmott

Appln.

No.: 09/387,659

Filed:

August 31, 1999

Title:

GARAGE DOOR OPERATOR

SAFETY APPARATUS

Group Art

Unit:

2837

Examiner:

A. Salata

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this date.

03/30/00

Date

Kenneth H. Sample Registration No. 25,747

Attorney for Applicants

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TECHNOLOGY CENTER 2800

Hon. Commissioner of Patents and Trademarks Assistant Commissioner of Patents Washington, D.C. 20231

#### INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §1.97 and §1.98, applicant and the undersigned attorney wish to bring the following information to the Examiner's attention in connection with the examination of the above-captioned application.

#### UNITED STATES PATENT DOCUMENTS

Patent No.	Inventor(s)	<u> Issue Date</u>			
4,035,702	Pettersen et al.	Jul.	12, 1977		
4,234,833	Barrett	Nov.	18, 1980		
4,338,553	Scott, Jr.	Jul.	06,1982		
4,364,003	Phipps	Dec.	14,1982		
4,383,206	Matsuoka et al.	May	10,1983		

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PATENT Appln. No. 09/387,659 Atty. Docket No. 66427 Filed: August 31, 1999

### UNITED STATES PATENT DOCUMENTS

Patent No.	Inventor(s)	<u> Issue Date</u>			
4,386,398	Matsuoka et al.	May 31,1983			
4,393,342	Matsuoka et al.	Jul. 12,1983			
4,455,517	Mitchell	Jun. 19,1984			
4,498,033	Aihara et al.	Feb. 05,1985			
4,563,625	Kornbrekke et al.	Jan. 07,1986			
4,638,433	Schindler	Jan. 20,1987			
4,464,651	Duhame	Aug. 07,1984			
4,750,118	Heitschel et al.	Jun. 07,1988			
4,831,509	Jones et al.	May 16,1989			
4,922,168	Waggamon et al.	May 01,1990			
4,929,877	Clark et al.	May 29,1990			
4,980,618	Milnes et al.	Dec. 25,1990			
4,986,646	Humamoto et al.	Jan. 22,1991			
5,039,925	Schap	Aug. 13,1991			
5,081,403	Matsuura et al.	Jan. 14,1992			
5,218,282	Duhame	Jun. 08,1993			

## FOREIGN PATENT DOCUMENTS

Patent No.	Country	<u> Issue Date</u>
GB 2 072 884 A	United Kingdom	Oct. 07, 1981

#### OTHER DOCUMENTS

Van Kessel, J., PCT International Search Report dated August 5, 1992 (citing the above mentioned United Kingdom //ED reference).

APR 0 6 2000

The above items are listed on Form PTO-1449 which CHNOLOGY CENTER 2800 accompanies this Information Disclosure Statement. Enclosed herewith are copies of each reference listed and a check in the amount of two hundred forty dollars (\$240.00) to cover the fee set forth under 37 C.F.R. §1.97(c). The above-identified documents have previously been disclosed in parent applications (i.e., Appln. No. 09/156,064 filed on September 17, 1998, now U.S. Pat. No. 5,998,950), but out of an abundance of contact and applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact and applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact and applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact and applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact and applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact and applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact applications (i.e., Appln. No. 5,998,950), but out of an abundance of contact applications (i.e., Appln. No. 5,998,950), and its applications (i.e., Appln. No. 5,998,950). abundance of caution Applicants resubmit these references in the instant IDS.

Appln. No. 09/387,659 Filed: August 31, 1999

PATENT Atty. Docket No. 66427

The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication or credit any overpayment to Deposit Account No. 06-1135. Should no proper payment for this communication be enclosed, as by a check being in the wrong amount, unsigned, postdated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This communication is filed in triplicate.

> Respectfully submitted, FITCH, EVEN, TABIN & FLANNERY

Dated: March 30, 2000

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KHS/EEC/219456 Enclosures

										Sheet1	1 of 2		
Form PTO-1449									Docket Number 66427 Application Number 09/387,659				
' INFORMATION DISCLOSURE CITATION IN AN APPLICATION							TATIC	NC	Applicant James J. Fitzgibbon, et al.				
	(U		everal :				ıry)		Filing Date August 31, 1999		Group Art Unit 2837		
						<del></del>		U. S. PATE	NT DOCUMENTS				
EXAMINER INITIAL		D	OCUM	IENT I	NUMBI	ER		DATE	NAME	CLASS	SUB CLASS	FILING DATE IF AP	
	4	0	3	5	7	0	2	07/12/77	Pettersen et al. O I P	318	285		
	4	2	3	4	8	3	3	11/18/80	Barrett APR 9 2000 5	318	282		·
	4	3	3	8	5	5	3	07/06/82	Scott, Jr.	318	266		
	4	3	6	4	0	0	3	12/14/82	Scott, Jr.  Phipps  **RADEMARK SET   Phipps   Ph	318	467		
	4	3	8	3	2	0	6	05/10/83	Matsuoka et al.	318	445		
	4	3	8	6	3	9	8	05/31/83	Matsuoka et al.	364	167		
	4	3	9	3	3	4	2	07/12/83	Matsuoka et al	318	467		
	4	4	5	5	5	1	7	06/19/84	Mitchell	318	283		
	4	4	9	8	0	3	3	02/05/85	Aihara et al.	318	261		
	4	5	6	3	6	2	5	01/07/86	Kornbrekke et al.	318	603		
	4	6	3	8	4	3	3	01/20/87	Schindler	364	400		
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		DO	CUME	ENT N	1UMB	ER		DATÆ	COUNTRY		CLASS	Yes	No
	GB 2	072 88	84 A					10/07/81	United Kingdom				
												$\dashv$	
									OCUMENTS (Including Author				Etc.)
<u>[</u>	Van Kessel, J., PCT International Search Report dated August 5, 1992 (citing the above mentioned United Kingdom reference).												

EXAMINER: DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

											Sheet 2	of	2	
Form PTO-1449						•			Docket Number 6642	Application Number 09/387,659				
INFORMATION DISCLOSURE CITATION								ON	Applicant James J. Fitzgibbon, et al.					
<sup>a</sup> IN AN APPLICATION (Use several sheets if necessary)									Filing Date August 31, 1999		Group Art Unit 2837			
		_					1	U. S. PATEN	NT DOCUMENTS					
EXAMINER INITIAL		D	OCU	MENT	NUMB	ER		DATE	NAME Q / A	CLASS	SUB CLASS	FILING DATE IF AP		
	4	4	6	4	6	5	1	08/07/84	Duhame App M	340	521			
	4	7	5	0	1	1	8	01/07/88	Heitschel Hal.	364	400			
,	4	8	3	1	5	0	9	05/16/89	Jones et al.  Waggamon et al.	364	167.01			
	4	9	2	2	1	6	8_	05/01/90	Waggamon et al.	318	286			
	4	9	2	9	8	7	7	05/29/90	Clark et al.	318	560			
	4	9	8	0	6	1_	8	12/25/90	Milnes et al.	318	265			
	4	9	8_	6	6	4	6	01/22/91	Hamamoto et al.	350	637			
	5	0	3	9	9	2_	5	08/13/91	Schap	318	282			
	5	0	8	1	4	0	3	01/14/92	Matsuura et al.	318	280			
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OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.